IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(Crl.).No. 246 of 2004(S)

PETITIONER:

K.ABDUL SALAM, S/O.K.SAITHALI, AGED
22 YEARS, R/O. 59(1/78), KOLAKKATTIL HOUSE,
VILAYUR P.O. PATTAMBI, PALAKKAD DISTRICT.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS:
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1. THE SUPERINTENDENT OF POLICE,
MALAPPURAM, MALAPPURAM DIST.

2. THE SUB INSPECTOR OF POLICE, EDAKKARA
POLICE STATION, EDAKKARA, MALAPPURAM DIST.

3. THE SUB INSPECTOR OF POLICE,
VAZHIKKADAVU POLICE STATION, VAZHIKKADAVU P.O.
MALAPPURAM DISTRICT.

4. JAFFER CHERUPULLI KALATHIL,
S/O.CHERUPULLI KALATHIL ABDU, R/A.CHERUPILLI
KALATHI HOUSE, POOVATHIPOKA, P.O.VAZHIKKADAVU,
MALAPPURAM DISTRICT.

5. KAVARTHODIKA AKBAR, S/O.KAVARTHODIKA
HASSAN, AGED 35 YEARS, KAVARTHODIKA HOUSE,
POOVATHIPOYIL, VAZHIKKADAVU P.O. MALAPPURAM DIST.

6. SHAJAHAN CHOYATHALA, S/O.SAIDALAVI
CHOYATHALA, AGED 22 YEARS, R/O.CHOYATHALA HOUSE,
POOVATHIPOKA, VAZHIKKADAVU P.O.
MALAPPURAM DISTRICT.

7. SAINULABID VALIL, S/O.MUHAMMD VALIL,
AGED 23 YEARS, R/O.VALIL HOUSE, POOVATHIPOYIL,
VAZHIKKADAVU P.O. MALAPPURAM DISTRICT.

R1 TO 3 BY GOVERNMENT PLEADER SHRI P.A.SALIM

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP (CRL) N0.246/2004 - APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 - TRUE COPY OF COMPLAINT DATED 8.12.2004 LODGED BY SMT.SEENATH,W/O.SHRI MELE THALAKKAL HAMSA, WIFE OF THE DETENU TO THE FIRST RESPONDENT.

EXT.P2 - TRUE COPY OF RECEIPT DATED 8.12.2004 ISSUED BY THE OFFICE OF THE FIRST RESPONDENT TO SMT.SEENATH, W/O.SHRI MELE THALAKKAL HAMSA, WIFE OF THE DETENU.

EXT.P3 - TRUE COPY OF RELEVANT PORTION OF PASSPORT OF SHRI MELE THALAKKAL HAMSA, THE DETENU, UNDER ILLEGAL CUSTODY OF THE RESPONDENTS 4 TO 7.

RESPONDENTS' EXHIBITS : NIL.

(TRUE COPY)

vaa PS TO JUDGE

J.B. KOSHY and T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl.) No. 246 of 2004 S

Dated this the 2nd day of April, 2007

Judgment

Koshy, J.

On behalf of the police, the learned Government Pleader submitted that the alleged detenu is not searched out and he was involved in some shady financial transactions. In the above circumstances, police is directed to register a man missing case, if it is not already registered and conduct investigation and search the alleged detenue.

With that direction, this writ petition is disposed of.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

vaa

J.B. KOSHY AND
T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl.) No.246/2004 S

Judgment

Dated:2nd April, 2007